

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHARLES L. BOBO,

Plaintiff,

v.

COUNTY OF FRESNO DEPENDENCY
COURT,

Defendant.

Case No. C13-2201-RAJ

**REPORT AND
RECOMMENDATION**

The Court has reviewed Charles Bobo's pro se complaint and application to proceed *in forma pauperis* ("IFP"), Dkt. 1, and recommends **DENYING** the IFP application and **DISMISSING** the complaint with prejudice for the reasons below.

(1) Mr. Bobo filed a complaint against the County of Fresno Dependency Unit regarding the dependency of his daughter. Dkt. 1. Mr. Bobo has filed similar complaints in *Bobo v. Fresno County Dependency*, C09-320-RSL; *Bobo v. Fresno County Dependency Court*, C11-831-TSZ; *Bobo v. Fresno County Dependency Court*, C12-1287-RAJ; and *Bobo v. Fresno County Dependency Unit*, C13-1044-RSM. Given this pattern, the Honorable Ricardo S. Martinez ordered that in deciding whether to grant Mr. Bobo IFP status, the Court must determine whether good cause exists to permit the action to go forward, and that "Mr. Bobo cannot file the same claims against the same defendant if those claims were dismissed with

1 prejudice.” *See* C13-1044, at Dkt. 7.

2 (2) The present complaint is essentially the same complaint Mr. Bobo filed in C13-
3 1044-RSM and which Judge Martinez dismissed as frivolous. As such, the Court recommends
4 **DENYING** Mr. Bobo’s *IFP* application and **DISMISSING** the present complaint with
5 prejudice.

6 Mr. Bobo is advised that this Report and Recommendation is not an appealable order.
7 Thus he should not file a notice of appeal seeking review in Court of Appeals for the Ninth
8 Circuit until District Judge Richard A. Jones enters a judgment in this case. Mr. Bobo is also
9 advised he may file objections to this Recommendation for Judge Jones’s review. Objections are
10 limited to five pages. If Mr. Bobo wishes to file objections, he must file them no later than
11 **December 31, 2013**. The Clerk should note the matter for **January 3, 2014**, as ready for the
12 District Judge’s consideration. The failure to timely object may affect the right to appeal.

13 DATED this 17th day of December, 2013.

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16 BRIAN A. TSUCHIDA
17 United States Magistrate Judge
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